

**To:** Stavnes, Sandra[Stavnes.Sandra@epa.gov]  
**Cc:** Elsen, Henry[Elsen.Henry@epa.gov]; Hestmark, Martin[Hestmark.Martin@epa.gov]; Moler, Robert[Moler.Robert@epa.gov]; Greene, Nikia[Greene.Nikia@epa.gov]; Mutter, Andrew[mutter.andrew@epa.gov]; Mylott, Richard[Mylott.Richard@epa.gov]; Smidinger, Betsy[Smidinger.Betsy@epa.gov]; Murray, Bill[Murray.Bill@epa.gov]  
**From:** Vranka, Joe  
**Sent:** Mon 12/18/2017 3:59:10 PM  
**Subject:** RE: Westside Priority Soils in Butte and EPA's seeming disdain for meaningful public involvement. How this fiasco has hurt your and the agency's reputation.  
[Sample Locations Outside BPSOU 20171211.pdf](#)  
[Sample Concentrations Outside BPSOU 20171211.pdf](#)  
[BSB RMAP Attic Data.pdf](#)  
[WestSideSoilsOU BPSOU ROD 20060921 OU Figure.pdf](#)  
[WestSideSoilsOU BPSOU ROD 20060921 OU Figure5 3.pdf](#)

Hi, Sandy:

Attached are two figures out of the 2006 Record of Decision for the Butte Priority Soils OU that generally describe and depict the location of the West Side Soils OU. It is located generally north and west of the Butte Priority Soils OU. The "flats" area is located south and east of the Butte Priority Soils OU. I have also included three figures that we presented at last Wednesday's City-County Commissioners meeting with soils data collected between 1987 and 2017. We are currently working on the development of a fact sheet to present the data that should be ready in early January.

Thank you,

Joe

**From:** Hestmark, Martin  
**Sent:** Monday, December 18, 2017 7:32 AM  
**To:** Vranka, Joe <vranka.joe@epa.gov>  
**Cc:** Elsen, Henry <Elsen.Henry@epa.gov>; Moler, Robert <Moler.Robert@epa.gov>; Greene, Nikia <Greene.Nikia@epa.gov>; Mutter, Andrew <mutter.andrew@epa.gov>; Mylott, Richard <Mylott.Richard@epa.gov>; Smidinger, Betsy <Smidinger.Betsy@epa.gov>; Murray, Bill <Murray.Bill@epa.gov>  
**Subject:** RE: Westside Priority Soils in Butte and EPA's seeming disdain for meaningful public involvement. How this fiasco has hurt your and the agency's reputation.

## Ex. 5 - Attorney Client & Deliberative Process

## **Ex. 5 - Attorney Client & Deliberative Process**

## **Ex. 5 - Attorney Client & Deliberative Process**

**From:** John Ray [Ex. 6 - Personal Privacy]  
**Sent:** Friday, December 15, 2017 10:25 AM  
**To:** Benevento, Douglas <[benevento.douglas@epa.gov](mailto:benevento.douglas@epa.gov)>

Cc: Moler, Robert <[Moler.Robert@epa.gov](mailto:Moler.Robert@epa.gov)>; Mutter, Andrew <[mutter.andrew@epa.gov](mailto:mutter.andrew@epa.gov)>; John Ray

Ex. 6 - Personal Privacy

**Subject:** Westside Priority Soils in Butte and EPA's seeming disdain for meaningful public involvement. How this fiasco has hurt your and the agency's reputation.

Earlier I sent you an email about the article in today's Montana Standard that informed the public that the EPA no longer considers the area of Butte known as the Flat (the area south of Front Street) as part of Westside Priority Soils OU.

That decision, to be blunt, has destroyed what little credibility EPA had in Butte.

Your recent visits to Butte and Anaconda were well received and rekindled a hope that perhaps the agencies would be responsive to citizens. You established a great deal of personal credibility. That credibility has been tarnished by this decision to exclude the Flat.

For the past several months both directly stated and clearly intimated to the public that the EPA felt that the cleanup of Butte would be seriously incomplete if the Flats were not addressed.

Nikia Greene had volunteered to be RPM, a preliminary assessment of Westside Soils in the Flat was begun, etc.

Now suddenly, EPA says that the Flat area is no longer part of Westside Priority Soils. I am not going to repeat all of the arguments I made in my earlier email.

Inconsistency destroys trust. Misinforming the public destroys trust.

I am sending this directly to you because I too hoped that under your leadership a new day had dawned so to speak regarding the Butte cleanup.

I no longer believe that.

Once again EPA has shown a contempt for the public and for meaningful public involvement. This is not just me. I have talked to others today who feel the same

way.

For many of us, the goodwill you established is gone.

I just wanted you to know that.

Dr. John W. Ray